

REMARKS

This Amendment is submitted in response to the Office Action issued on February 26. The Office Action rejected Claim 7 under 35 U.S.C. §112, first paragraph, and Claims 4 to 15 under 35 U.S.C. §103(a). Claims 4 and 5 are amended herein. Claims 7 and 12 have been cancelled without prejudice or disclaimer. A Request for Continued Examination is submitted herewith. The Commissioner is hereby authorized to charge deposit account 02-1818 for the RCE fee, and for any other fees which are due and owing.

The Office Action rejected Claim 7 under 35 U.S.C. §112, first paragraph, for lack of enablement because the Specification allegedly does not reasonably provide enablement for a sidewall having a toothed wheel *and* the inner annular surface having a female thread and the hinge pin having male threads corresponding to the female threads within the same hinge. (See, Office Action, pg. 2). This rejection has been rendered moot by the cancellation of Claim 7. However, as discussed in further detail below, Claims 4 and 5 have been amended to include the element of toothed wheel hinges, and a threaded hinge pin and hinge combination. Applicant respectfully maintains that support for these claim elements is found in the Specification, and provides several examples and comments below.

First, *each of the embodiments* and corresponding figures in the present application includes a pair of hinges having interlocking toothed wheels. The present application includes Figs. 1A to 8C. Of these figures, the feature of the interlocking toothed wheels are shown clearly in Figs. 2 and 4B. The toothed wheels are also included in the embodiments shown in Figs. 1A, 1B, 5, 6A, 6B, 7A, 7A, 8A, 8B and 8C, but are not visible in these perspective views due to the visual interference of the second hinge 43. Moreover, the side view of Fig. 4B clearly shows the toothed wheels and this feature applies to both Figs. 4A and 4C. Although the toothed wheels are not seen in either of the front views shown in Figs. 4A or 4C, support for this feature in each

of these figures can be found in the Specification. In particular, “as shown in Fig. 2, the both hinges 43, 51 have toothed wheels 43a, 51a engaged with each other at their side walls, so that the detachably-attaching member 40 and the connection member 50 can be pivotally rotated with respect to each other and can remain strictly at a desired adjusted angle.” (See also, Fig. 2). As indicated in the Brief Description of the Drawings section, Fig. 2 relates to a first embodiment. (See, Specification, pg. 3). As also indicated in the Brief Description of the Drawings section, Figures 4A, 4B and 4C also relate to the same first embodiment, where Fig. 4C differs only with respect to the structure of the hinge pins 61, 62. The Specification provides that “Referring to FIGS. 4(A) and 4(C), it will be seen that the hinges 43, 51 and hinge pin 61, 62 have a different construction from each other.” (See, Specification, pg. 5, lines 19 and 20). “The hinges 43, 51 and the hinge pin 61 are thread-engaged with each other.” (See, Specification, pg. 5, lines 21 and 22). Therefore, although the hinge pins 61 and 62 differ in structure between Figs. 4A and 4C, this does not negate the presence of the toothed wheels present in the first embodiment. The threaded hinge pin 62 is an additional feature that restricts the pin from escaping or sliding out of the sunglasses holder. (See, Specification, pg. 6, lines 2 and 3). Therefore, the figures and the Specification clearly disclose the male-threaded pin and female threaded hinge in combination with the toothed wheels of the hinges to restrict the pin from sliding out and to control or restrict rotational movement of the detachably-attaching member 40 with respect to the connection member 50. (See, Specification, pg. 6, lines 2 and 3, and pg. 6, lines 18 to 21). Accordingly, Applicant respectfully submits that the Specification is fully enabling for the combination of male/female threads and toothed wheels on the hinges, as recited in amended Claims 4 and 5.

In the Office Action, 4, 5, 8, 9, 10 and 13 to 15 are rejected, “as best understood,” under 35 U.S.C. §103(a) as being unpatentable over Korean Patent No. 1020020066148A to Ko (“Ko”), in view of U.S. Patent Publication No. 2001/0023518 to Okeke et al. (“Okeke”). (See,

Office Action, pg. 3). Of the rejected claims, Claims 4 and 5 are the sole independent claims. Claims 4 and 5 have been amended as outlined above. Support for the amendments can be found, for example, in Fig. 4C of the present application. Because the male threaded portion 62a of the hinge pin 62 engages with the female threaded portion 51b of the hinge 51, the hinge pin 62 is restricted from escaping from the sunglasses holder. (See, Specification, pg. 6, lines 1 to 5). Moreover, because the remaining portion of the hinge pin 62 is not threaded, it does not cause the hinge 43 to move laterally with respect to hinge 51 when the two hinges are pivoted with respect to one another.

As admitted in the Office Action, Ko fails to disclose hinges that include a toothed wheel and a hinge pin. (See, Office Action, pg. 4). Ko also fails to disclose wherein the hinge pin includes a male threaded portion corresponding to a female threaded portion of the connection hinge, and the hinge pin includes non-threaded portions that correspond to the fixing member hinge, as recited in amended Claim 4. Moreover, Ko fails to disclose wherein the hinge pin includes a male threaded portion corresponding to a female threaded portion of the detachably-attaching member hinge, and the hinge pin includes non-threaded portions that correspond to the fixing member hinge, as recited in amended Claim 5. Rather, Ko merely discloses a coupling part 17 (i.e., the generally u-shaped portion) and a connection strip 19 that mounts to the glasses and is fitted into the coupling part 17. (See, Ko, Figs. 2 and 3). Accordingly, the Patent Office relies on Okeke to allegedly remedy the deficiencies of Ko. Moreover, with regard to cancelled Claims 7 and 12, the Patent Office relies on Miller for alleged disclosure of “a female thread at the inner circumference and the pin having a male thread from on the outer circumference.” (See, Office Action, pg. 6).

Okeke discloses a *molded inseparable assembly* having a first member 54 and a second member 130 that are molded together to create an inseparable unit. (See, Okeke, Figs. 7 and 8).

As previously argued, Okeke does not disclose or suggest a pin insertable through the hinges, much less a pin including a male threaded portion corresponding to a female threaded portion of a connection hinge (or a detachably-attaching member hinge), where the hinge pin includes non-threaded portions that correspond to a fixing member hinge, as recited in amended Claims 4 and 5 respectively. Miller also fails to disclose a hinge pin having a threaded portion engageable with a first hinge *and a non-threaded portion engageable with a second hinge*. As disclosed in Miller, “an externally threaded bolt 10 extends through each of the tubular guides 5, 6, 7, 8 and 9 ... the threads of the bolt 10 engage the internal threads of the threaded guides 8 and 9.” (See, Miller, col. 3, lines 31 to 34). Moreover, Applicant submits that it would not be obvious to combine a threaded pin or bolt 10 as taught in Miller with the molded inseparable assembly of Okeke. (See, Miller, Fig. 1). The threaded bolt 10 in Miller is used to vertically or laterally adjust a first portion 1 of a hinge with a second portion 2 of a hinge for the purpose of realigning a door with a door jamb without having to remove the door from the door jamb and without having to cut or plane the door. (See, Miller, col. 1, lines 53 to 60). That is, in Miller, one side of the door would raise or lower with respect to the other side of the door. Applicant respectfully submits that it would not be obvious to combine the threaded bolt 10 of Miller with the first and second members 54,130 of the molded inseparable assembly of Okeke because there would be no motivation to move a first member 54 laterally or vertically with respect to the second member 130. Therefore, it would not be obvious to combine Ko, Okeke, and Miller in the manner suggested in the Office Action.

Accordingly, Applicant respectfully requests the withdrawal of the 5 U.S.C. §103(a) rejection of Claims 4, 5, 8, 9, 10 and 13 to 15 in view of Ko and Okeke, and the rejections of Claims 7 and 12 in view of Ko, Okeke, and Miller.

For at least the reasons discussed above, Applicants respectfully submit that the present Claims 4 to 6, 8 to 11, and 13 to 15 are novel, nonobvious and distinguishable from the cited references.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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